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Attorneys for Defendant

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EMANUEL MARTINZEZ, on behalf of himself and
others similarly situated,

Plaintiff,

v.

NFP BAKERY MANUFACTURING CORP.,

Defendant.

08 CV 3979 (RPP)

**DEFENDANT'S MANDATORY
DISCLOSURES PURSUANT
TO FED. R. CIV. P. 26(A)(1)**

Defendant NFP Bakery Manufacturing Corp. (hereinafter "NFP" or "Defendant"),
by its attorneys, Eaton & Van Winkle LLP, as and for its mandatory disclosure pursuant
to Rule 26(a)(1) of the Federal Rules of Civil Procedure, states as follows:

1. Individuals - The names and, if known, the address and telephone number
of the individuals who are likely to have information that NFP may use to support its
defenses (other than for impeachment), as well as the subjects of such information are
as follows:

NAME	ADDRESS AND TELEPHONE NUMBER	Subject
George Lampropoulos	C/o NFP Bakery Manufacturing Corp. 66 Mercer Street New York, N.Y. (212) 274-1870	Plaintiff's duties as a driver for NFP and the hours of performance of such duties
Manolo Olalde	C/o NFP Bakery Manufacturing Corp. 66 Mercer Street New York, N.Y. (212) 274-1870	Plaintiff's duties as a driver for NFP, the hours of performance of such duties, the hours worked by Plaintiff, and NFP's supervision of Plaintiff
Adam Lopez	C/o NFP Bakery Manufacturing Corp. 66 Mercer Street New York, N.Y. (212) 274-1870	Plaintiff's duties as a driver for NFP and the hours of performance of such duties
Juan Castillo	C/o NFP Bakery Manufacturing Corp. 66 Mercer Street New York, N.Y. (212) 274-1870	Plaintiff's duties as a driver for NFP and the hours of performance of such duties
Carlos Gonzalez	C/o NFP Bakery Manufacturing Corp. 66 Mercer Street New York, N.Y. (212) 274-1870	Hours worked by Plaintiff as a driver for NFP

Subject to further investigation by NFP, individuals at businesses to which Plaintiff made deliveries as a driver for NFP may have discoverable information concerning the times of such deliveries.

NFP reserves the right to call as witnesses such individuals, and or other individuals whose identities, or whose likelihood of having discoverable information that NFP may use to support defenses, are not currently known to NFP.

2. Documents – NFP may use documents in the following categories in its possession, custody or control to support its defenses (other than for impeachment), all of which would be located at NFP's offices:

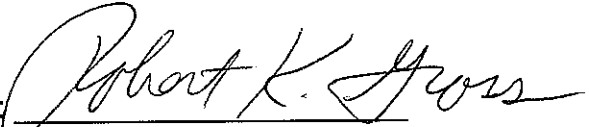
A. Documents identifying the locations to which Plaintiff made deliveries as an NFP driver;

B. Documents respecting payments to Plaintiff and/or time worked by NFP drivers.

3. Insurance Agreements under Rule 26(a) (1)(D) – None

Dated: July 30, 2008

EATON & VAN WINKLE LLP

By: 
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